


1 U.S.C. § 2244(b)(3)(A).

2 Here, the instant petition challenges the sentence on the same conviction as the
3 earlier petition previously denied by this Court. Petitioner has not presented an order
4 from the court of appeals authorizing the Court to consider these claims. Accordingly,
5 the petition for writ of habeas corpus is DISMISSED as a second and successive petition.
6 Petitioner is free to seek such an order from the United States Court of Appeals for the
7 Ninth Circuit. *See*, 28 U.S.C. § 2244(b)(3)(A).

8 The Clerk shall close the file and enter judgment in this matter.

9 IT IS SO ORDERED.

10 DATED: July 24, 2008

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13 JEFFREY S. WHITE
14 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

AYANNA Z. GREEN,
Plaintiff,

Case Number: CV08-03422 JSW

CERTIFICATE OF SERVICE

v.


TINA HORNBECK et al,
Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on July 24, 2008, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Ayanna Z. Green
W75617
P.O. Box 96
Chowchilla, CA 93610-0096

Dated: July 24, 2008


Richard W. Wieking, Clerk
By: Jennifer Ottolini, Deputy Clerk